

E-FILED on 8/25/05

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re THE LEISURE CORPORATION
Debtor.

No. C-03-03012 RMW

ORDER REVISING BRIEFING SCHEDULE
FOR BANKRUPTCY APPEAL

On August 18, 2005, appellees Kenneth Prochnow and the Law Offices of Kenneth H. Prochnow filed a motion to dismiss appellants' bankruptcy appeal. Appellants George Drucker and the Leisure Corporation filed their appeal brief on August 19, 2005. Civil Local Rule 16-4 provides that the appellees' brief shall be filed no later than 20 days after the service of the appellants' brief and that the appellants may file a reply no later than 10 days after the service of appellees' brief. In light of the appellees' motion to dismiss on the basis of appellants' failure to diligently prosecute this case, the court finds it appropriate to revise the briefing schedule for the bankruptcy appeal such that the appellees' brief is due after the court's determination on the motion to dismiss.

Accordingly, the court adjusts the briefing schedule as follows: appellees' brief shall be due 20 days after the service of the court's determination on appellees' August 18 motion to dismiss. Appellants' brief shall be due 10 days after service of the appellees' brief subject to the page limitation set forth in the court's Order Granting Motion to Enlarge Page Limit for Appellant's Opening Brief.

DATED: 8/25/05/s/ Ronald M. Whyte

RONALD M. WHYTE
United States District Judge

1 **Notice of this document has been sent to:**

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Counsel are responsible for distributing copies of this order to co-counsel, as necessary.

14 **Dated:** _____

Chambers of Judge Whyte